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**REMARKS**

This amendment is responsive to the office action dated January 15, 2004.

Claims 1-12 were pending in the application. Claims 1-12 were rejected. No claims were allowed by the Examiner.

By way of this amendment, the Applicant has submitted proposed corrections to the drawings for Figures 1-4.

Claims 1 and 7 have been amended. Claims 2-6 and 8-12 remain unchanged.

Accordingly, Claims 1-12 are currently pending.

**I. OBJECTION TO DRAWINGS:**

A substitute set of formal drawings with proposed correction for Figures 1, 2, 3 and 4 is enclosed for entry into the file. The Examiner raised several items with respect to the drawings. The Applicant has revised both the drawing figures and the specification by adding additional reference numerals and clarifying the descriptive language to address each of the items. No new subject matter has been added in the substitute figures. Withdrawal of this objection is requested.

**II. OBJECTION TO SPECIFICATION:**

The Examiner objected to the specification based on several informalities. The Applicant has amended the Specification in accordance with the Examiner's recommendations thereby correcting grammatical errors and creating consistency relative to the usage of reference numerals. A substitute specification is enclosed for entry into the file. No new subject matter has been added in the substitute figures. Withdrawal of this objection is requested.

**III. REJECTION OF CLAIMS UNDER 35 USC 112:**

Claims 1-12 were rejected under 35 USC 112, second paragraph as being indefinite. With respect to claim 1, the Examiner stated that the terms outer surface, inner surface, peripheral edge and voids at predetermined locations is meant. The Applicant has amended the specification and drawings to clearly describe and identify

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the features described by these terms. Additionally, claim 1 has been amended to clarify the language describing these features.

With respect to claim 7, the Examiner stated that the applicant should clarify what is meant by voids at predetermined locations and outer peripheral edge. The Applicant has amended the specification and drawings to clearly describe and identify the features described by these terms. Additionally, claim 7 has been amended to clarify the language describing these features.

The noted amendments are believed to overcome the indefiniteness rejection under §112. Accordingly, withdrawal of this rejection is requested.

#### IV. REJECTION OF CLAIMS UNDER 35 USC 102

Claims 1-6 were rejected under 35 USC 102(b), as being anticipated by US Patent No. 5,828,016 (Grannan et al.). The Examiner stated that the invention in Grannan includes a dome shaped movable contact having an outer surface, an inner surface and a peripheral edge, an insulative layer having selective voids applied to the inner surface of the contact member, a contact arm connected to the peripheral edge of the contact member and a stabilizer arm connected to the peripheral edge of the contact member and that since the Grannan device includes every element of the present invention, the present invention is fully anticipated.

The device claimed in the present invention as amended is also a dome shaped contact switch assembly. However, the present invention includes an insulator layer that is adhered to the lower surface of the dome wherein the insulator layer extends partially into the inner surface of the dome. This construction allows for lower tolerance requirements during the fabrication and assembly of the device while ensuring proper functioning and a reduction in defective switches. This structure can clearly be contrasted to the structure in the Grannan reference cited by the Examiner.

The specification of the present invention clearly and specifically identifies Grannan as utilizing technology that the present invention is developed to overcome. Namely, the die cut insulation layer must be brought into registration with the domes in a separate assembly step. Further the overall assembly requires the use of retaining tabs 76, 77 that are bent to hold the assembly together. All of these steps and additional

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components add greatly to the complexity of the assembly, the cost of the device and the time required to manufacture the device.

The Examiner has also identified that the Grannan reference includes a contact arm 24 and a stabilizer arm 30. However, while reference 24 does indicate a first contact lead, reference 30 identifies a second contact lead that is in electrical communication with a plate extending below the insulation layer and forming a contact point centrally located beneath the dome element. Accordingly, items 24 and 30 are not even connected to the same part of the assembly, nor does item 30 serve as a stabilizer as it is an electrical contact.

Since the present invention recites subject matter in the claims as amended that is not disclosed in Grannan, namely an insulator layer applied to and extending into the inner surface of the dome portion of the switch (claims 1-6) and a stabilizer arm (claims 5,6) the Grannan reference cannot anticipate the present invention. Therefore, this rejection is not believed to be applicable. Reconsideration, and withdrawal of the rejection is respectfully solicited.

V. REJECTION OF CLAIMS UNDER 35 USC 103

Claims 7-12 were rejected under 35 USC 103(a) as being unpatentable over Grannan in view of US Patent No. 6,522,147 (Pickard). The Examiner has stated that although Grannan does not demonstrate the addition of an LED and a battery, Pickard discloses a circuit assembly that includes these structures and that the present invention is obvious in light of the combination of these references.

As stated above in the comments related to Claims 1-6 in light of Grannan alone, the device claimed in the present invention as amended is also a dome shaped contact switch assembly. However, the present invention includes an insulator layer that is adhered to the lower surface of the dome wherein the insulator layer extends partially into the inner surface of the dome. This construction allows for lower tolerance requirements during the fabrication and assembly of the device while ensuring proper functioning and a reduction in defective switches. This structure can clearly be contrasted to the structure in the Grannan reference cited by the Examiner.

The specification of the present invention clearly and specifically identifies Grannan as utilizing technology that the present invention is developed to overcome.

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Namely, the die cut insulation layer must be brought into registration with the domes in a separate assembly step. Further the overall assembly requires the use of retaining tabs 76, 77 that are bent to hold the assembly together. All of these steps and additional components add greatly to the complexity of the assembly, the cost of the device and the time required to manufacture the device.

By simply adding the Grannan structure to the Pickard structure you do not arrive at the present invention. Specifically, the combination device is still lacking in limitations provided under the disclosure of the present invention. The combined device would not include the limitation that the applied insulative layer extends on the inner surface of the dome portion of the device. Even if the cited references are combined they do not disclose the present invention and therefore cannot render the present invention as amended obvious.

Reconsideration of claims 7-12 and withdrawal of this rejection is respectfully solicited.

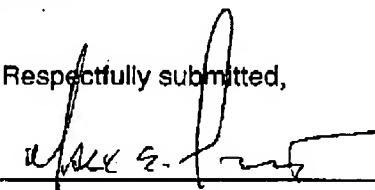
VI. CONCLUSION

Accordingly, claims 1-12 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,

  
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